

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
OCTOBER 7, 1953

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, October 16, 1953; Councilmen Rinn, Robinson and Richey (Mayor) present; Councilmen Hillman and Preszler absent.

Minutes of the previous meeting of September 16, 1953, were approved after the paragraph entitled "Emerson School Park Site Referred to Recreation Commission" was amended to read as follows:

"Mayor Richey announced that the Elementary School Board had proposed at a recent meeting with the City Council that a portion of the Emerson School Grounds be leased to the City for development of a park. The proposal excluded the existing building and its immediate grounds. It was understood that the use of the land would be temporary, but that the School Board would have no use for the land for several years. Councilman Rinn moved that the proposal be referred to the Recreation Commission for consideration at its next meeting and a report on recommendations and cost estimates for the development of a park on the site. The motion carried."

COMMUNICATIONS

P.U.C.
TO DISCUSS
GRADE
CROSSINGS

A notice from the Public Utilities Commission that a hearing has been set for Wednesday, November 4, 1953, in San Francisco for the purpose of establishing a list of grade crossings of railroads and city, county, or city and county highways urgently in need of improved protection, and to determine the nature of needed improved protection at such crossings. The City Manager recommended that the City be represented at the hearings to ensure that consideration be given to the Kettleman Lane crossing in the City of Lodi. Councilman Robinson suggested that the underpass at Turner Road should also be given consideration. Councilman Rinn suggested that further consideration be given at a later date after more had been learned about the subject. It was agreed to lay the matter over.

S.P.
PARKING
LOT

A letter from the Southern Pacific Company explaining the delay in answering the City's request for use of S.P. Company property on Sacramento Street for off-street parking lot. It is the Company's understanding that the primary interest of the City Council lies in having the area cleaned up so as to make a more presentable appearance, and the off-street parking proposal is of a secondary nature. The Company explained that it had received an application for use of the premises for commercial purposes (no liquor sales). The applicant proposes to grade and surface the area facing Sacramento Street for use of customer parking. The Company feels that this will accomplish the purpose of having the property cleaned up. The Company further stated in the letter that it is anxious to cooperate with the City in every way, but it feels that the proposed development will be more valuable to the City than an off-street parking lot. Finally the letter asked the City Council to bear in mind the fact that the

Company would expect to receive, as an ordinary business proposition, a return on its investment of approximately \$29,600 plus an estimated \$373 in taxes. Councilman Robinson stated that he was very disappointed with the Southern Pacific Company. He pointed out that when the matter was first suggested to the Company by the Coordinating Council, representatives of the Company agreed to the proposal and offered to lease the property for \$1 a year. He further stated that the condition in which the property was presently maintained, with papers and bottles strewn about, was a disgrace. Councilman Rinn added that he would go along with Councilman Robinson's sentiments. Councilman Robinson added further that he would be unwilling to pay rent for the property as outlined in the letter. On the motion of Councilman Robinson, Rinn second, the Council voted to authorize the City Manager to arrange a meeting with Southern Pacific representatives during, or immediately after, the League of California Cities convention in San Francisco, or at some other date which could be mutually agreed upon.

STREET
TREES

Letter from Mr. Henry Marquardt expressing his opinion that the street trees on South California should be removed rather than spending City funds to preserve them. The Council expressed its appreciation for the expression of opinion.

PETITION
PLEASANT
ST. LIGHTS

A petition requesting the formation of a special assessment district for the installation of street lights on South Pleasant Street from Lodi Avenue to Kettleman Lane was referred to the City Clerk for verification of signatures.

PUBLIC HEARING

HANDEL
CURB AND
GUTTER

This being the time and place set for hearing of protests to the notice to construct curb and gutter on the south side of Lot 3, Block 7, of the Moran-Handel Tract. The City Attorney submitted the Affidavit of Service of the Notice to Construct Curb and Gutter. The City Clerk informed the Council that no protests, either written or oral, had been received in his office. There being no protests offered, Mayor Richey found that no protests, written or oral, had been offered and declared the public hearing at an end.

REPORTS OF THE CITY MANAGER

SET PUBLIC
HEARING ON
LODI LAKE
PARK

Mr. Weller explained that question blanks had been published in the newspapers as requested by the City Council and nine or ten completed blanks had been received. Some of the completed question blanks did not contain questions, but statements of opinion both pro and con. Mr. Weller stated that the questions submitted dealt with such items as cost of admission, swimming and boating, overnight camping, and specific State plans for development. These questions were referred to Mr. Powell of the Division of Beaches and Parks for answers. These answers were turned over to the press for publication. Councilman Rinn moved, Robinson second, that an adjourned meeting be scheduled for October 28, 1953, or thereabout, at which time a public hearing would be held. The motion passed with a unanimous vote. The City Manager was then requested to invite Mr. Powell and Dr. Burns of the College of Pacific to attend the meeting.

CITY
TREASURER
APPOINTED

The City Manager stated the Council should formally appoint the Finance Director as City Treasurer in order to conform with State law. The City Council then appointed Fred C. Wilson City Treasurer by unanimous vote.

SPECIAL
CENSUS
DEFERRED

The City Manager informed the Council that he had received a letter from the Bureau of the Census acknowledging receipt of the deposit for the special census, and informing the City that if additional information is desired, the questions should be submitted for estimates of the additional cost for preparing schedules, etc. Mr. Weller stated that the request for additional information would delay the date for the special census. He further pointed out that a delay until the Sunset Addition is complete might be beneficial to the City. It was agreed that the additional questions should be submitted for cost estimates from the Bureau of the Census and that the special census be tentatively scheduled for March or April, 1954.

PURCHASE OF
PRISONER VAN
APPROVED

Mr. Weller presented a report from the Chief of Police covering the man hours expended and distance traveled in transportation of prisoners over the last six months. Mr. Weller estimated that the savings in man hours and transportation would be approximately \$1500 per year with the use of a prisoner van. Councilman Robinson and Mayor Richey expressed the view that a prisoner van would afford greater protection to the police officers transporting the prisoners. After being informed by the City Attorney that it would be unnecessary to advertise for formal bids, Councilman Rinn moved, Robinson second, that the matter be referred to the Purchasing Agent to get informal bids for approval by the City Council. Motion carried.

ORD. NO. 493
INTRODUCED

PROHIBIT
OVERNIGHT
PARKING

The City Manager pointed out that Section 200 of Ordinance No. 493, the Traffic Ordinance, had been left blank at the time the ordinance was adopted. The omission was due largely to the State statute requiring the erection of signs in all areas where overnight parking is prohibited. The last legislature repealed this requirement, therefore Mr. Weller recommended that Section 200 of Ordinance No. 493 be amended to designate specific streets in the downtown business district where overnight parking would be prohibited. He explained that the overnight parking in this area created a problem in street sweeping. Councilman Robinson suggested that Lodi Avenue be included in the list of streets. Councilman Rinn suggested that all streets in the City be included and the ordinance be enforced where it is necessary to overcome hazards. In the discussion that ensued the Council agreed that the necessary measures should be taken to overcome the problem of street sweeping and traffic hazards caused by trucks parking overnight on narrow, unlighted streets. It was further agreed that the ordinance should include all streets within the corporate limits of the City of Lodi. Councilman Rinn then moved, Robinson second, the introduction of Ordinance No. 498. The motion carried.

PARKING ON
CALIFORNIA
STREET

Mayor Richey asked what action, if any, should be taken to relieve the parking situation on South California Street between Walnut Street and Lodi Avenue. She pointed out that the problem of high school students parking in this area had been expressed by the residents on this street. It was agreed that the High School Board should be informed of the problem and the fact that the City Council had received a suggestion to solve

the problem by prohibiting or limiting parking in this block during the day. Mr. Mullen was requested to carry the message to the High School Board at its next meeting and ask the Board if it had any objections.

TREES ON
SOUTH
CALIFORNIA
STREET

Councilman Robinson moved that an attempt be made to remedy the street tree problem on the 200 block of South California Street by moving the curb approximately two feet toward the center of the street and moving the sidewalk approximately two feet toward the rear of the property, that the cost of the curb and gutter work and the cost of the tree repair work be borne by the City, that the cost of the sidewalk work be borne by the property owner, and that the work be undertaken at such time as the City is in a position to complete the work. The motion was seconded by Councilman Rinn and passed by a unanimous vote.

STADIUM
CONTRACT
AWARDED

Mr. Weller reported that bids were called for the Stadium Concession Contract and two bids were received. The bid of Mr. Munson, present holder of the contract, was lower than the bid of Mr. Schroeder. The bids were referred to the Recreation Commission which recommended that the award be made to Mr. Munson for a two-year period. Mr. Munson holds the concession contract with the High School and the contract has two years to run. Mr. Weller explained that the Recreation Commission felt that it would be very awkward to try to operate the Stadium concessions under two different concessionaires. The Council felt that the concessionaire should be compelled to live up to the terms of the contract, particularly where it pertains to the furnishing of items of popular demand. On the motion of Councilman Robinson, Rinn second, the Council voted to award the contract to Mr. Munson.

LCC-CVD
MEETING

Mr. Weller reminded the members of the City Council of the meeting of the Central Valley Division of the League of California Cities to be held in Sonora on October 8, 1953.

CLAIMS

Claims in the amount of \$72,859.81 were approved on the motion of Councilman Robinson, Rinn second.

PIPE BIDS
REJECTED
RES. #1772
ADOPTED

The City Manager reminded the City Council that the City had received bids for pipe for the construction of the storm sewers in the extensions of Elm Street and Mills Avenue, the award of the contract having been deferred until right-of-way problems had been solved. Mr. Weller explained that the City Engineer has not been able to resolve the right-of-way problems, but he feels that the southern portion of the project should be constructed as soon as possible. The City Manager recommended that the bids be rejected and the City be authorized to purchase on the open market. On the motion of Councilman Robinson, Rinn second, the Council voted to adopt Resolution No. 1772, rejecting all bids and authorizing the City Manager to purchase the necessary pipe on the open market.

SET MEETING
TO DISCUSS
HIGHWAY 99
BY-PASS

Mr. Weller reminded the Council that the deadline for the filing of briefs with the State Highway Commission was set for October 13, 1953, and asked if the Council wished to take further action regarding the proposed location of the 99 Highway by-pass prior to that date. Mr. Weller read a letter from Mr. Harold Wise, the City's planning consultant, in which Mr. Wise stated that he believed the land use of the area between present Cherokee Lane and the by-pass could be better controlled if the by-pass were located closer to

However, he recognized that the studies by the Highway Department have indicated that a closer alignment would be extremely expensive. In his letter Mr. Wise further pointed out that there would be some advantage to the City to have the by-pass located 1000 feet further east from the location proposed by the State by reason of the fact that there would be a greater possibility of developing and enforcing a better land use pattern. Councilman Robinson expressed the opinion that the City Council should remain neutral in the matter. Councilman Rinn stated that he felt that the Highway Commission should be informed that the City of Lodi has a master plan survey under way and would not be in a position to sign a freeway agreement should such an agreement be tendered prior to the completion of the master plan. The Council then agreed to hold an adjourned meeting at 4:00 o'clock p.m. on Monday, October 12, 1953, at which time the Planning Commission will be invited to meet with the Council to discuss what action, if any, should be taken by the City Council prior to the deadline set by the Highway Commission.

CITY PLANNING COMMISSION

Mr. Weller read an excerpt from the minutes of the City Planning Commission of September 28, 1953, in which the Zoning Commission reported the granting of a variance to Mr. Ted Schneider for a 20-foot set back on lots 2, 3, 4, 37 and 38 of the Vinewood Tract.

A recommendation from the Planning Commission that a strip of land 118 feet in depth running from Grant Avenue to Ham Lane be rezoned from the R-2 District to the R-1 District. A public hearing on the matter had been held by the Planning Commission after giving the required notice. On the motion of Councilman Rinn, Robinson second, the Council voted to set November 4, 1953, as the time for a public hearing before the City Council on the matter.

Resolution No. C.P.C. 2, adopted by the Planning Commission amending Resolution No. C.P.C. 1, adopting a Use List under the provisions of the Zoning Ordinance, was received from the Planning Commission with the recommendation that the City Council adopt a resolution amending Resolution No. 1719 of the City Council approving the Use List. The amendment to the Use List would provide for inclusion of "auto body and fender work" under those uses which require a use permit in the C-2 District. On the motion of Councilman Robinson, Rinn second, the Council voted to adopt Resolution No. 1773, amending the Use List adopted by Resolution No. 1719.

A petition, duly verified, requesting the annexation of certain property south of Lodi Avenue and west of Fairmont Avenue was presented. The petition requests annexation under the Annexation Act of 1913. On the motion of Councilman Rinn, Robinson second, Resolution No. 1771, declaring the intention of the City Council to call a special election in the described territory and fixing the time and place for a public hearing on the question of the special election, was adopted. Resolution No. 1771 set December 1, 1953, as the date for the special election and November 4, 1953, as the date for the public hearing.

S. CHURCH ST. The Assessment Diagram of the South Church
LIGHTING DIST. Street Lighting District, showing the property
APPROVE benefited by the work and which is to be assessed
ASSESSMENT to pay the costs and expenses of the work, was
DIAGRAM presented and approved by the adoption of Resolution No. 1770.


ORDINANCE NO. 497, "AN ORDINANCE AMENDING ORDINANCE NO. 373 COMMONLY KNOWN AS THE SALES TAX ORDINANCE, AND REPEALING ORDINANCE NO. 400 BEING AN ORDINANCE ENTITLED 'AN ORDINANCE AMENDING ORDINANCE NO. 373 COMMONLY KNOWN AS THE SALES TAX ORDINANCE'", having been regularly introduced on September 16, 1953, was brought up for passage on the motion of Councilman Rinn, Robinson second, second reading omitted after reading by title, and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Rinn, Robinson and Richey
NOES: Councilmen - None
ABSENT: Councilmen - Preszler and Hillman

Mayor Richey then signed Ordinance No. 497 in approval thereof.

On the motion of Councilman Rinn, the meeting was then adjourned until October 12, 1953, at 4:00 o'clock p.m.

ATTEST:


HENRY A. GLAVES, JR.
City Clerk